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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,898	10/10/2003	Yu Pau Lin	MR2349-959	7712

4586 7590 02/11/2005

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EXAMINER

RODRIGUEZ, RUTH C

ART UNIT	PAPER NUMBER
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3677

DATE MAILED: 02/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/681,898

Applicant(s)

LIN, YU PAU

Examiner

Ruth C Rodriguez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 October 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. The drawings are objected to because Figure 7 has reference characters 121 and 122 for the lower plate while indicating parts of the leveling portion instead of the smooth portion and Figure 8 has reference characters 121, 122 and 123 for the lower plate while indicating parts of the leveling portion instead of the smooth portion.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency.

Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The disclosure is objected to because of the following informalities: Page 1, line 9, "12a" should be replace with --11a--. Correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7 and 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Yamagishi (US 6,497,017 B2).

Yamagishi discloses a zipper (1,2,3) with a smooth pull function comprises a zipper body (1) including a top plate(4), a bottom plate (5), two slide grooves(19) and a puller (3). The top plate has a leveling portion formed at one side thereof (Figs. 1-3). The leveling portion defined a concave groove formed at an inside thereof (Figs. 1-3). The bottom plate has a smooth portion formed at one side thereof (Figs. 1-3). The

smooth portion defined a corner formed at outside thereof (Figs. 1-3). The two slide grooves are formed between the top plate and the bottom plate (Figs. 1, 2 and 4). The puller connects with the top plate of the zipper body (Figs. 1-11).

Yamagishi also discloses that:

- The top plate of the zipper body has a pivot seat (between 16 and 17) formed near one side thereof and the puller has a pivot portion (10) formed at a side thereof and connects to the pivot seat of the zipper body (Figs. 1-11).
- The top plate of the zipper body has a retaining element (12) formed near another side thereof and the zipper further comprising a flexible element (2) disposed at a top thereof. The flexible element has a fixed portion (22) formed at one side thereof and a hook portion (8) formed at another side thereof. The fixed portion is fixed at the retaining element to position the flexible element on the top of the zipper body and receive the hook portion in an inside of the zipper body to retain the hook portion in a zipper chain (Figs. 1-11).
- The top plate of the zipper body has a through hole (20) formed near one side thereof and the hook portion of the flexible element is inserted in the inside of the zipper body through the through hole (Figs. 1-11).
- The zipper body further comprises a connected portion (6) integrally formed between the top plate and the bottom plate.
- The leveling portion and the smooth portion both have a guiding surface with an inclined shape formed at a side thereof (Figs. 1-11).
- The leveling portion is formed at two sides of the top plate (Figs. 1-3).

- The corner of the smooth portion has a curve shape (Figs. 1-3).
- The smooth portion is formed at two sides of the bottom plate (Figs. 1-3).

A zipper (1,2,3) with a smooth pull function comprises a zipper body (1) including a top plate (4), a bottom plate (5), two slide grooves (19) and a puller (3). The top plate has a smooth portion formed at one side thereof (Figs. 1-3). The smooth portion defines a concave groove formed at an inside thereof (Figs. 1-3). The bottom plate has a level portion formed at one side thereof (Figs. 1-11). The level portion defines a corner formed at outside thereof (Figs. 1-3). The two slide grooves are formed between the top plate and the bottom (Figs. 1, 2 and 4). The puller connects with the top plate of the zipper body (Figs. 1-11).

5. Claims 1, 2, 5-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Terada et al. (US 5,007,144).

A zipper (10,20) with a smooth pull function comprises a zipper body (11) including a top plate (12), a bottom plate (13), two slide grooves (17) and a puller (20). The top plate has a leveling portion formed at one side thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The leveling portion defined a concave groove formed at an inside thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The bottom plate has a smooth portion formed at one side thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The smooth portion defined a corner formed at outside thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The two slide grooves are formed between the top plate and the bottom plate (Figs. 1, 4, 7, 10, 11, 14-17 and 19). The puller connects with the top plate of the zipper body (Figs. 1, 3-7, 9-11, and 14-20).

Terada also discloses that:

- The top plate of the zipper body has a pivot seat (19) formed near one side thereof and the puller has a pivot portion formed at a side thereof and connected to the pivot seat of the zipper body (Figs. 1, 3-7, 9-11 and 14-20).
- The zipper body further comprises a connected portion (14) integrally formed between the top plate and the bottom plate.
- The leveling portion and the smooth portion both have a guiding surface with an inclined shape formed at a side thereof (Figs. 1, 2, 5, 11, 14-17 and 19).
- The leveling portion is formed at two sides of the top plate (Figs. 1, 2, 5, 11, 14-17 and 19).
- The concave groove of the leveling portion has a V-shaped (Figs. 1, 2, 5, 11, 14-17 and 19).
- The corner of the smooth portion has a curve shape (Figs. 1, 2, 5, 11, 14-17 and 19).
- The smooth portion is formed at two sides of the bottom plate (Figs. 1, 2, 5, 11, 14-17 and 19).

A zipper (10,20) with a smooth pull function comprises a zipper body (11) including a top plate (12), a bottom plate (13), two slide grooves (17) and a puller (20). The top plate has a smooth portion formed at one side thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The smooth portion defines a concave groove formed at an inside thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The bottom plate has a level portion formed at one side thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The level portion defines a corner formed at outside thereof (Figs. 1, 2, 5, 11, 14-17 and 19). The two slide grooves are formed

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between the top plate and the bottom plate (Figs. 1, 4, 7, 10, 11, 14-17 and 19). The puller connects with the top plate of the zipper body (Figs. 1, 3-7, 9-11, and 14-20).

6. Claims 1, 2 and 5-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Yoshida et al. (US 4,590,648).

A zipper (20) with a smooth pull function comprises a zipper body (30) including a top plate (31), a bottom plate (32), two slide grooves and a puller (37) (Figs. 2-6). The top plate has a leveling portion (38) formed at one side thereof. The leveling portion defined a concave groove formed at an inside thereof (Figs. 2-4 and 6). The bottom plate has a smooth portion (40,42) formed at one side thereof. The smooth portion defined a corner (40) formed at outside thereof. The two slide grooves are formed between the top plate and the bottom plate (Figs. 2, 4 and 5). The puller connects with the top plate of the zipper body (Figs. 2 and 5).

Yoshida also disclose that:

- The top plate of the zipper body has a pivot seat (between 36 and 31) formed near one side thereof and the puller has a pivot portion formed at a side thereof and connected to the pivot seat of the zipper body (Figs. 2 and 5).
- The zipper body further comprises a connected portion (33) integrally formed between the top plate and the bottom plate.
- The leveling portion and the smooth portion both have a guiding surface (42) with an inclined shape formed at a side thereof (Figs. 2-6).
- The leveling portion is formed at two sides of the top plate (Figs. 2-4 and 6).

- The concave groove of the leveling portion has a V-shaped (Figs. 2-4 and 6).
- The corner of the smooth portion has a curve shape (Figs. 2-4 and 6).
- The smooth portion is formed at two sides of the bottom plate (Figs. 2-4 and 6).

A zipper (20) with a smooth pull function comprises a zipper body (30) including a top plate (31), a bottom plate (32), two slide grooves and a puller (37) (Figs. 2-6). The top plate has a smooth portion formed at one side thereof (38). The smooth portion defines a concave groove formed at an inside thereof (Figs. 2-4 and 6). The bottom plate has a level portion (40,42) formed at one side thereof (Figs. 2-4 and 6). The level portion defines a corner (40) formed at outside thereof. The two slide grooves are formed between the top plate and the bottom plate (Figs. 2, 4 and 6). The puller connects with the top plate of the zipper body (Figs. 2 and 5)

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Binns et al. (US 1,585,644), Silberman (US 2,095,270), Lawson (US 2,160,879), Foltis (US 2,809,412 and US 2,824,352), Mikulas (US 2,937,427), Fukuroi (US 3,952,379), Yoshida et al. (US 4,590,648), Ishii et al. (US 4,667,376), Terada et al. (US 5,007,144), Wakabayashi (US 6,094,786), Yamagishi (US 6,497,017 B2), Lin (US

6,588,072 B1) and European Patent Document EP 0 612 486 A1 are cited to show state of the art with respect to a zipper having some of the features being claimed by the current application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruth C Rodriguez whose telephone number is (703) 308-1881. The examiner can normally be reached on M-F 07:15 - 15:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, J. J. Swann can be reached on (703) 306-4115.

Submissions of your responses by facsimile transmission are encouraged. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Recognizing the fact that reducing cycle time in the processing and examination of patent applications will effectively increase the patent's term, it is to your benefit to submit responses by facsimile transmission whenever permissible. Such submission will place the response directly in our examining group's hands and will eliminate Post Office processing and delivery time as well as PTO's mailroom processing and delivery time. For a complete list of correspondence **not** permitted by facsimile transmission, see MPEP § 502.01. In general, most responses and/or amendments not requiring a fee, as well as those requiring a fee but charging such fee to a deposit account, can be submitted by facsimile transmission. Responses requiring a fee that the applicant is paying by check **should not be** submitted by facsimile transmission separately from the check.

I hereby certify that this correspondence is being facsimile transmitted to
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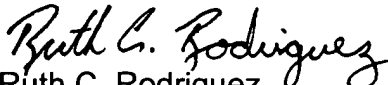
(Signature)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ruth C. Rodriguez
Patent Examiner
Art Unit 3677

rcr

February 9, 2005